

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
Chambers of United States Magistrate Judge Edward G. Bryant**

345 United States Courthouse  
111 S. Highland Avenue  
Jackson, TN 38301  
(731) 421-9273

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**NOTICE OF SETTING**  
**Before Judge Edward G. Bryant, United States Magistrate Judge**

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February 22, 2012

RE: 1:11-cv-01374-JDB-egb  
Freedom From Religion Foundation, Inc. v. Town of Whiteville, Tennessee et al

Dear Sir/Madam:

**A SETTLEMENT CONFERENCE** has been **SET** before **Judge Edward G. Bryant** on **Thursday, March 29, 2012 at 9 A.M. CT** in **Judge Bryant's Chambers, 3<sup>rd</sup> floor of the Federal Building, Jackson, Tennessee.**

**Private statements are due by 4 p.m. CT, Friday, March 23, 2012.**

**Additionally, a TELEPHONIC PRE-MEDIATION CONFERENCE CALL** has been **SET** for **Thursday, March 22, 2012 at 9:45 A.M. CT.** Defendants' counsel shall initiate the conference call before dialing into Chambers at 731-421-9273.

**Please see attached instructions.**

If you have any questions, please contact Andrew Shulman, Judicial Assistant to Magistrate Judge Edward G. Bryant at 731-421-9273.

BY: s/Andrew Shulman  
Andrew Shulman, Judicial Assistant  
731-421-9273

UNITED STATES DISTRICT COURT  
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INSTRUCTIONS CONCERNING  
SETTLEMENT CONFERENCES

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The lead attorney who will try the case for each party shall appear, and it is expected that counsel will be fully authorized to accomplish settlement of this case and prepared to engage in effective settlement negotiations. In addition, the parties, or representatives of corporate parties, **WITH FULL SETTLEMENT AUTHORITY**, must be present in person at the conference. If any part of the potential liability of a party is insured, or subject to indemnity, a representative of an insurer or indemnitor with authority to pay the full policy of indemnity limits, must be present in person at the conference.

All participants should allocate adequate time for the settlement conference. Although the settlement conference may conclude in the early afternoon, all participants should clear their calendars for the entire day. Judge Bryant's commitment is to work with the parties for as long as necessary.

Counsel shall submit to Magistrate Judge Bryant's ECF inbox ( [ECF\\_Judge\\_Bryant@tnwd.uscourts.gov](mailto:ECF_Judge_Bryant@tnwd.uscourts.gov) ), **at least five (5) business days before the scheduled settlement conference** (pro-se parties, if unable to email, may submit their statements via U.S. mail to the above address), a private statement, to be read only by the Judge, setting forth the following:

1. **Case Summary**: state the basic facts and history of the case, including the claims and defenses of the parties.
2. **Liability and Damages**: state whether liability is disputed, and, if so, attach any relevant documents (accident reports, etc.). State the type and amount of damages sought. The plaintiff(s) shall include an itemized list of damages sought, the basis for seeking each item, and any relevant support for seeking such damages. The defendant(s) shall set forth any factors that may mitigate the damages sought, along with relevant support.
3. **Expert Opinions**: list the names of all experts that you anticipate will testify at trial, along with a brief summary of their opinions.
4. **Points of Law**: If the case contains significant or unusual

points of law, please include a brief description, attaching relevant authorities cited to or relied on.

5. **Strengths and Weaknesses:** list the strengths and weaknesses of both your case and your opposing party's case.
6. **Costs of Trial:** list the estimated costs you will incur if the case is not resolved in this settlement conference and goes to trial.
7. **Probable Outcome:** state what you believe the outcome will be in the event that the case goes to trial.
8. **History of Settlement Negotiations:** describe the parties' attempts to resolve the case to date, including the latest offers made. Describe why the parties have not been able to resolve the case. If you are waiting on additional information to properly evaluate the case, describe what additional information you need and what steps you have taken to get that information.

The statement you prepare is for Judge Bryant's review only and solely for use in this settlement conference. **Failure to timely submit the private statement may result in sanctions, such as paying travel costs of the other party or parties.**

Counsel will be expected to have discussed the prospect of settlement with their client(s) before the conference. It is further expected that after such discussions, the parties will have made at least one settlement offer and counter-proposal in good faith.